

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:11cr284**

UNITED STATES OF AMERICA,

Vs.

JEREMY LEWIS.

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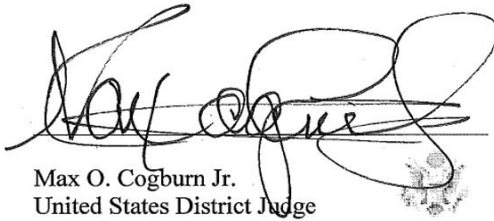
ORDER

THIS MATTER is before the court on defendant's pro se Letter dated December 20, 2012. In that letter, defendant asked to be transferred to a jail facility having a legal library. Having continued sentencing twice, the court has now set defendant on for sentencing in January 2013, address to the Motion to Continue. Review of the pleadings reveals that defendant is represented by counsel. Such representation impacts defendant's pro se request in two ways: first, as a represented party, defendant cannot file uncounseled motions with the court, and such motion is subject to summary dismissal under the Local Criminal Rules; second, by having counsel, defendant has what the United States Supreme court has determined to be adequate access to legal materials. Put another way, if defendant wants any legal materials, he need only ask his attorney. Williams v. Leeke, 584 F.2d 1336, 1343 (4th Cir. 1978) (K.K. Hall, J., concurring and dissenting: "Denial of individual access to legal materials is not denial of right of access to courts where prisoners are represented by counsel.") Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendant's pro se Letter dated December 20, 2012 (#19), to the extent it seeks relief from the court, is **DENIED** .

Signed: December 27, 2012



Max O. Cogburn Jr.
United States District Judge